

Licensing Sub-Committee Report

Item No:	
Date:	26 August 2020
Licensing Ref No:	20/04433/LIPN - New Premises Licence
Title of Report:	27 Chiltern Street London W1U 7PJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	5 June 2020		
Applicant:	Chiltern Street Deli Ltd		
Premises address:	27 Chiltern Street London W1U 7PJ	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	<p>This is an application for a new premises licence which currently operates as a delicatessen selling food and drink which can be consumed on and off of the premises.</p> <p>The premises consists of four small rooms on the ground floor level, currently food and drinks are produced in the street facing room. The three other rooms provide seating for customers to consume food and beverages.</p> <p>In the basement of the premises there is a preparation kitchen and customer toilets.</p> <p>There is also a small terrace outside the front of the shop with 4 tables and eight chairs.</p>		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist. However the premises have had the benefit of Temporary Event Notices		
Applicant submissions:	As part of the application the applicant has provided additional documentation detailing their proposal to uphold the Licensing Objectives. This can be found at Appendix 2 of this report.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	12:00
End:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
Seasonal variations/ Non-standard timings:			N/A				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
Seasonal variations/ Non-standard timings:			N/A				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Owusu Koduah
Received:	29 June 2020
<p>I refer to the application for a new Premises Licence number for the above-mentioned premises. The premises is located within the West End Cumulative Impact area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2016.</p> <p>The applicant is seeking to:</p> <p>Supply of alcohol for consumption “on & off” the premises Monday to Saturday from 11:00 to 20:00 hours and Sunday from 12:00 to 20:00 hours.</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representation:</p> <ol style="list-style-type: none">1. The supply of alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance may affect Public Safety within the West End Cumulative Impact area <p>It is my view that there is insufficient information to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area</p> <p>Applicant is asked to contact the undersigned for further discussion and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety</p> <p>Please contact me if you wish to discuss this further.</p>	
Responsible Authority:	Metropolitan Police Service (<i>Withdrawn 17 June 2020</i>)
Representative:	PC Cheryl Boon
Received:	16 June 2020
<p>Dear Mr Walsh,</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated outside the Cumulative Impact Area but it is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>I am proposing the following conditions to be added to any future operating schedule:</p> <ol style="list-style-type: none">1. The premises shall install and maintain a comprehensive CCTV system as per the minimum	

requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. The supply of alcohol at the premises shall only be to a person seated.

4. Food and Non-Intoxicating Beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

5. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

6. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

7. No alcohol to be consumed outside the premises except to those in the seated area immediately in front of the premises.

8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

10. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.

Please let me know whether you are willing to agree to these conditions that the Police are proposing as this may enable us to withdraw our representation.

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	28 June 2020		
<p>I [REDACTED] and wish to object against the cafe selling alcohol (or playing music for that matter).</p> <p>Chiltern Street is a residential street and the cafe is located within a block of flats. Allowing the cafe to sell alcohol would cause the immediate area [REDACTED]nce, as well the street pavement to be constantly blocked in the evenings. To add to that the customers drinking alcohol would most definitely be noisy and rowdy. This is not the kind of environment that people living at [REDACTED] want to endure.</p> <p>I kindly ask for this Licence request to be rejected.</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	03 July 2020		
<p>I was utterly shocked when I found out about the fact that the Chiltern Street Deli [REDACTED] [REDACTED] has applied for the permission to sell alcohol.</p> <p>Granting an alcohol Licence to the cafe/deli would be devastating for the residents of Chiltern street [REDACTED].</p> <p>Every single noise from the street is heard in [REDACTED] as this is an old building which does not benefit from any sound insulation. People drinking outside the cafe (or even inside for that matter) and then leaving and loitering around would cause far more noise than the residents living here would be able to tolerate. There are already a number of premises in the vicinity selling alcohol and this already causes significant noise on Chiltern street.</p> <p>I kindly ask you to decline the application for this Licence (even with any concessions or amendments the cafe will promise).</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	26 June 2020		
<p>I strongly object to the granting of a Licence to sell alcohol to Chiltern Street Deli.</p> <p>Chiltern street is a residential street. However, since the appearance of the Chiltern Firehouse</p>			

the street has become very loud at all times of the day. Evenings and nights are particularly loud when people are leaving the hotel drunk.

Adding another premises that sells alcohol on this residential street would be devastating. It would translate into having constant, drunk people outside our door entrance. The noise would easily transfer into the flats (as all the residents of [REDACTED] have single glazing windows).

The premises that Chiltern Street Deli occupies has always been a cafe and never has it sold alcohol. This should not change. The traffic and noise that it already generates (with queues and groups of people constantly standing on the pavement [REDACTED]) is unbearable. Allowing it to sell alcohol would be too much for the residents who would probably consider moving out.

I am utterly horrified that the application for selling alcohol at the cafe/deli in [REDACTED] is still even being considered. Me as well as my neighbours have laid out the reasons why the application should not be granted. Amongst others this is a residential street, with people's [REDACTED] overlooking Chiltern street. The flats only have single glazed windows and every noise possible, coming from the street is heard in the flats. People standing outside [REDACTED], drinking alcohol, every evening would be absolutely unacceptable. The residents here work hard and do not want to be coming back to a place where drunk people congregate outside [REDACTED]. These customers tend to hang around long after closing hours. The Deli in question already keeps his doors open often until 11pm / midnight. I can imagine this would continue if they received the Licence.

I wish to make it clear in the strongest possible way that me and other residents are completely opposed to the cafe on 27 Chiltern Street receiving a Licence to sell alcohol. Should a Licence be granted then this will be put forward to the legal team at Wendover Court Management and if necessary fought in court.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Invalid	In support or opposed:	Supporting
Received:	16 August 2020		

I would like to submit the following statement in support of the Chiltern Street Deli's application for a alcohol licence. I understand that the consultation period is over but would greatly appreciate if the committee could include the below statement nevertheless.

"I have been resident at [REDACTED] since February 2017. I am employed as an [REDACTED] organ and am a qualified solicitor on the roll of England and Wales.

I think the Chiltern Street Deli has been an excellent addition to the neighbourhood. It offers quality, well-priced goods but is particularly positive in it creating a sense of community and serving as a hub for local interaction. The staff are friendly and accommodating and the atmosphere convivial and very pleasant. It suits the neighbourhood perfectly and has only been positive. I think the addition of an alcohol Licence will only boost the offering of the premises by allowing residents and those working locally to enjoy an evening beverage along with their food. It will also no doubt be a huge economic boost to the business, something particularly important in the current economic climate given the challenges that Covid has and will continue to present.

Addressing some potential concerns in relation to the application for an alcohol licence. Firstly, the clientele are generally young or middle aged adults of the professional classes and not

prone to excessive noise or boisterousness. The addition of alcohol among such persons is not likely to change this. Any concerns around noise are repudiated by the fact the Licence application is only [until 8pm](#). By [8:15pm](#) there will be no customers on or around the premises. The alcohol Licence will allow customers to have a drink alongside their food and the Deli will not be set up as a bar. I find it very hard to understand concerns regarding noise or loitering of customers given the specific context being considered with the Deli.

Secondly, any comparison with the Chiltern Street Firehouse is inappropriate. It is like comparing a small provincial town with Manhattan. The Firehouse has a Licence [until midnight](#), can accommodate multiples of the headcount of the Deli, and is almost exclusively frequented by non-residents. The Firehouse is also a “destination” location attracting people from all over the world. In sharp contrast, the Deli caters to local residents who would be able to enjoy a food and a social drink of an evening. The maximum number of people doing such a thing would be no more than 30 and in any event like a dozen or so.

Finally, the ability to offer evening aperitifs or other alcohol based drinks will offer a further opportunity for local residents to meet one another, by design or by chance, and add to the sense of community that the Deli has helped to create in the street and immediately surroundings streets. It would seem unjust to deny this alcohol Licence for this reason, and for the economic motivations for the business, on the basis of the concerns expressed which do not seem to understand exactly what is being proposed.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</p> <p>For premises for the supply of alcohol for consumption off the premises:</p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>
Policy RNT1 applies	<p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p>

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

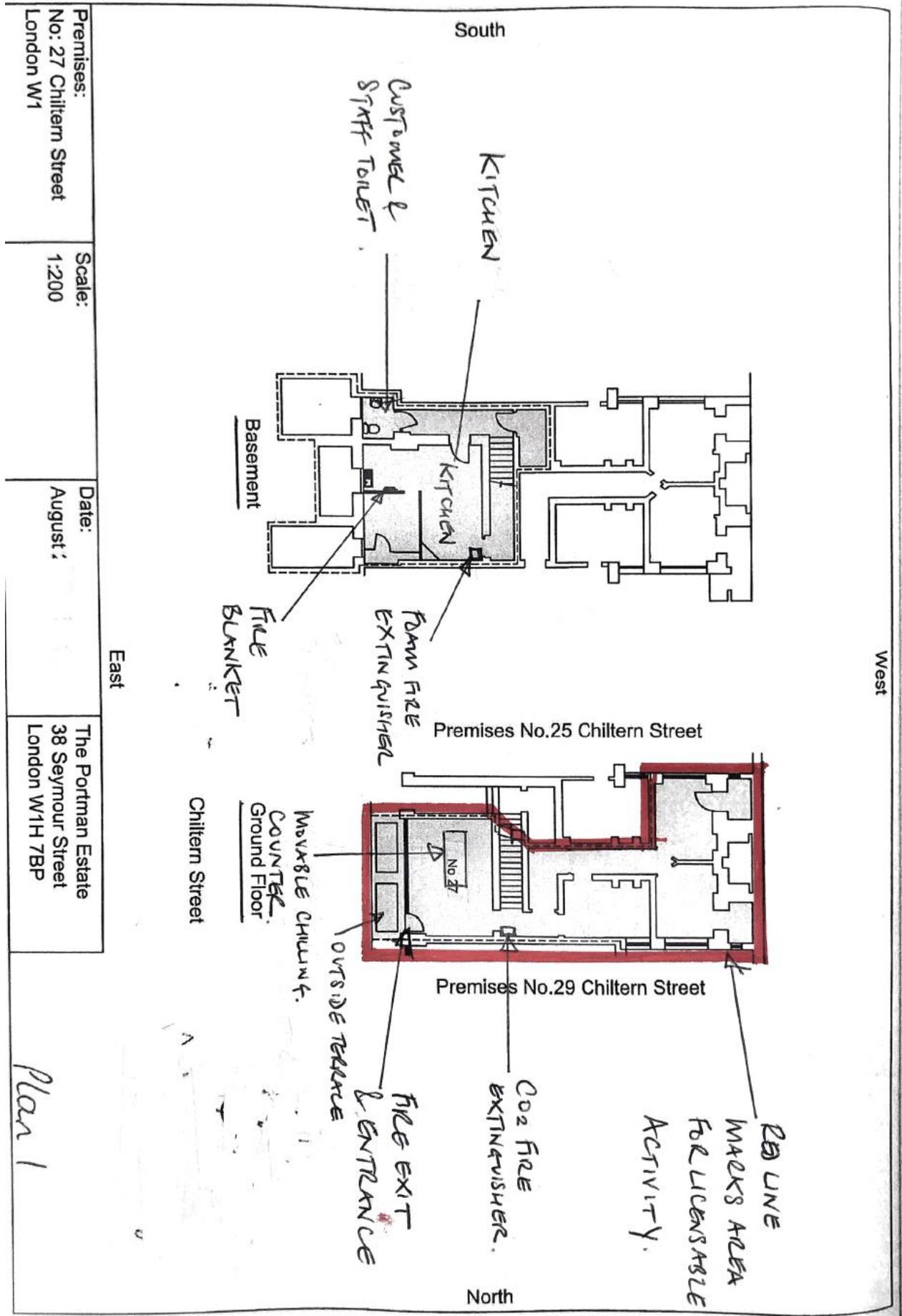
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	07 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service Representation	29 June 2020
5	Metropolitan Police Service Representation <i>(Withdrawn 17 June 2020)</i>	16 June 2020
6	Resident Representation 1	28 June 2020
7	Resident Representation 2	03 July 2020
8	Resident Representation 3	26 June 2020
9	Resident Representation 4 <i>(Invalid)</i>	16 August 2020



Applicant's Licensing objectives proposal

Chiltern Street Deli

LICENSING OBJECTIVES

GENERAL

- a) A person holding the National Licencee's Certificate will be on the premises at all times when alcohol is being served.
- b) The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as delicatessen.

1. PREVENTION OF CRIME AND DISORDER

a) Door Supervisors

- The Premises is principally a café/deli, and we don't propose the sale of alcohol late into the evening so do not see the need for door supervisors.

b) CCTV

- Will be installed and working to the satisfaction of the Police and Local Authority.
- Recordings will be maintained for an appropriate period of time (generally one month but to be agreed with Police and Local Authority)
- If the CCTV equipment is inoperative, the Police and Local Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
- A Notice will be displayed at the entrance to the premises, advising that CCTV is in operation.

c) Bottles and Glasses

- All bottles sold to be taken away will be sealed.
- All bottles and glasses will be removed from public areas as soon as they are finished with, in our case we have a very limited outside space.

d) Capacity Limits

- Consideration will be given to setting capacity limits, we see the capacity of the four rooms in which licensable activities taking place being 30 persons in total.

e) Proof of Age policy

- A Challenge 21 scheme will be adopted in compliance with the age verification condition: Customers who appear to be under 21 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.
- A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

2. PUBLIC SAFETY

a) Fire Safety

- The existing exit that is through the front door of the premises is easily openable without the use of a key, card, code or similar means and will be available for egress while the public are on the premises.
- Means of escape will be maintained unobstructed, immediately available and clearly identifiable.
- The exit door will be regularly checked to ensure they function satisfactorily. Records of these checks will be kept and produced on request.
- Any removable security fastenings will be removed whenever the premises are open to the public or staff.
- All fire doors will be maintained effectively self-closing and shall not be held open other than by approved devices
- All floor coverings will be secured and maintained so that they will not ruck. Mats will be fitted into matwells so as to be flush with the floor surface
- Upholstered seating will be fire retardant and compliant with current fire safety regulations
- Curtains, hangings and temporary decorations do not obstruct exits, fire safety signs or fire-fighting equipment
- Notices detailing the actions to be taken in the event of fire or other emergency will be prominently displayed and maintained in good condition
- Fire drill and emergency lighting tests will be conducted monthly
- Records of these tests will be made available to the Licensing Authority upon request
- All fire exits and means of escape will be signed in accordance with BS5499
- An evacuation policy will be in place that is to the satisfaction of the Fire Authority.
- All staff members will be trained in the evacuation policy.
- Exit doors will open outwards (or will be secured in the open position);

b) Disabled People

- When disabled people are present, adequate arrangements will exist to enable their safe evacuation in the event of an emergency
- Disabled people on the premises will be made aware of these arrangements

c) First Aid

- Adequate and appropriate supply of first aid equipment and materials will be available on the premises.
- At least one suitable trained first aider will be on duty when the public are present.
- If more than one first aider is present, their respective duties will be clearly defined
- The first aider will be trained to deal with drug and alcohol related problems;

d) Safety Certificates

- We will provide a satisfactory NICEIC or ECA periodic electrical installation report upon request. The inspection will be carried out annually and we will provide a new report each year.

- We will provide a CORGI certificate of inspection in respect of any gas boiler, calorifier or appliance. The inspection will be carried out annually and we will provide a new report each year.
- We will provide confirmation of public liability insurance in the minimum sum of £2 million. A new certificate will be provided each year.
- We will provide a certificate of inspection for portable fire fighting equipment. The inspection will be carried out annually and I will provide a new certificate each year
- We will provide a certificate of inspection for any fire detection alarm at the premises
- The inspection will be carried out annually and we will provide a new certificate each year.

3. THE PREVENTION OF PUBLIC NUISANCE

a) Noise and Vibration

- Music is not to be played outside on the small terrace of the café.
- Doors and windows will be kept closed whenever necessary.
- Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly
- The placing of bottles into receptacles outside the premises will take place at times that will minimise disturbance to nearby properties
- Music in the café will always be monitored to ensure it does not cause disturbance to the neighbours.

b) Waste Management

- Waste is left outside the premises for collection by Westminster Council. In order to minimise unnecessary disruption we will leave any bagged bottles in a plastic receptacle with fitted cover soon after the closing time of 20:00 so to avoid the noise of the bottles hitting the pavement.
- During the hours of operation of the premises the Licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- We will ensure that when customers leave the café when we close at 20:00 that we will monitor the noise outside the premises of their departure.

c) Outside Terrace

- The consumption of food and drink on the terrace will be supervised to prevent nuisance & obstruction. This will be limited to small square tables and Eight chairs.
- At the end and beginning of each day the terrace will be swept and cleaned.

d) General

- A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.

4. THE PREVENTION OF CHILDREN FROM HARM

- A Challenge 21 scheme will be adopted in compliance with the age verification condition: Customers who appear to be under 21 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport,

'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.

- A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

Premises History**Appendix 3**

Application	Details of Application	Date Determined	Decision
20/01435/LITENP	Temporary Event Notice	12.02.2020	Event allowed to proceed
20/02545/LITENP	Temporary Event Notice	05.03.2020	Event allowed to proceed
20/03212/LITENP	Temporary Event Notice	02.04.2020	Event allowed to proceed

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a Licenced premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

10. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

11. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
12. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule.

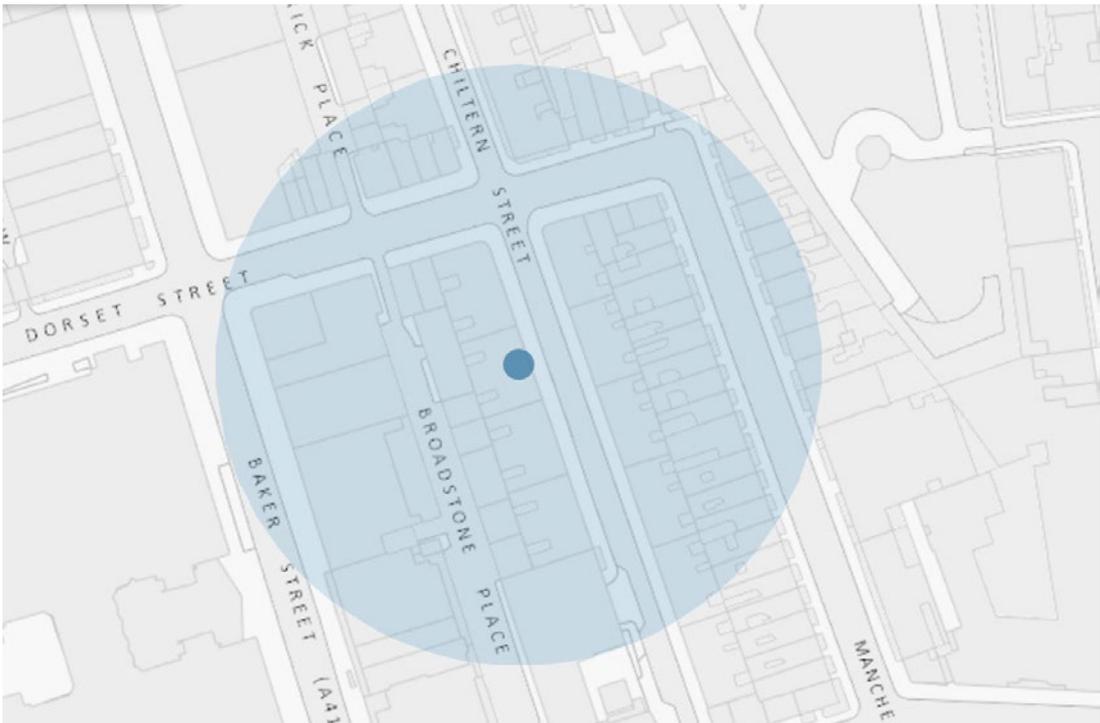
15. The supply of alcohol shall be ancillary to the main function of the premises as a delicatessen
16. The supply of alcohol in the outside area shall be by waiter or waitress service only
17. There shall be no draught beer
18. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
19. All outside tables and chairs shall be removed from the outside area by 20:00 hours each day.
20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
21. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
22. No deliveries to the premises shall take place between 20.00 and 07.00 hours on the following day
23. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons
24. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business
25. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided

Conditions proposed by the Police and agreed with the applicant so as to form part of the operating schedule.

26. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit

points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

27. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
28. The supply of alcohol at the premises shall only be to a person seated.
29. Food and Non-Intoxicating Beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
30. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
31. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
32. No alcohol to be consumed outside the premises except to those in the seated area immediately in front of the premises.
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
34. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
35. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.



Resident count: 214

Licenced premises within 75 Metres of 27 Chiltern Street, London, W1U 2PY

Licence Number	Trading Name	Address	Premises Type	Time Period
18/15318/LIPVM	A.O.K Kitchen	52 - 55 Dorset Street London W1U 7NH	Restaurant	Monday to Saturday; 10:00 - 00:30 Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 23:00
15/02384/LIPVM	Cadenhead's Whisky Shop London	26 Chiltern Street London W1U 7QF	Shop	Monday; 10:00 - 18:30 Tuesday to Thursday; 10:00 - 20:00 Friday; 11:30 - 20:00 Saturday; 10:00 - 18:30
18/00910/LIPN	Buongiorno E Buonasera	58 Baker Street London W1U 7DD	Restaurant	Monday to Sunday; 07:00 - 23:00
19/13892/LIPV	Ooty	66 Baker Street London W1U 7DJ	Restaurant	Monday; 10:00 - 00:30 Tuesday; 10:00 - 00:30 Wednesday; 10:00 - 00:30 Thursday; 10:00 - 00:30 Friday; 10:00 - 00:30 Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
19/01197/LIPDPS	The Chiltern Street Hotel	1 Chiltern Street London W1U 7PA	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
06/10798/WCCMAP	Original Tajine Restaurant	7A Dorset Street London W1U 6QN	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
12/01262/LIPDPS	Barley Mow Public House	Barley Mow 8 Dorset Street London W1U 6QW	Pub or pub restaurant with lodge	Monday to Saturday; 09:00 - 23:30 Sunday; 12:00 - 22:30

19/04567/LIPDPS	Yosma	50 - 52 Baker Street London W1U 7BT	Restaurant	Monday to Saturday; 07:00 - 01:00 Sunday; 07:00 - 00:00
19/11466/LIPDPS	Monocle Cafe	18 Chiltern Street London W1U 7QA	Cafe	Monday to Friday; 07:00 - 20:00 Saturday; 08:00 - 20:00 Sunday; 09:00 - 19:00
06/10503/WCCMAP	Ristorante Anacapri	Basement And Ground Floor 10 Dorset Street London W1U 6QR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/04862/LIPDPS	Mayha	43 Chiltern Street London W1U 6LS	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
09/02972/LIPV	A D Supermarket	48 Baker Street London W1U 7BS	Shop	Monday to Thursday; 07:00 - 02:00 Friday to Saturday; 07:00 - 03:00 Sunday; 08:00 - 22:30
17/05008/LIPN	Simple Health Kitchen	48 Baker Street London W1U 7BS	Cafe	Monday to Sunday; 07:30 - 22:30